

CITY COUNCIL CITY OF LODI
COUNCIL CHAMBERS, CITY HALL
AUGUST 19, 1953

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, August 19, 1953; Councilmen Preszler, Rinn, Robinson and Richey (Mayor) present; Hillman absent.

COMMUNICATIONS

S. P.
PARKING
LOT

A letter from the Southern Pacific Company, regarding the City's request for the lease of the Company's property on Sacramento Street for use as a parking lot, stated that an application for retail use of the property had been made and that any decision on the City's request must await investigation of the retail use application. No action was taken on the letter; however, Councilman Robinson questioned the advisability of taking action to force the issue.

PUBLIC HEARINGS

JR. CHAMBER
ALL-STAR
GAME

Mr. Otto Pirtle, representing the Lodi Junior Chamber of Commerce, presented a contract for the rental of the Lodi Stadium for August 24, 1954, for the purpose of holding a football game to be known as the "Valley High School All-Star Bowl Game". Mayor Richey accepted the contract and referred it to the City Attorney for report.

FESTIVAL-CITY
JOINT
COMMITTEE

Mr. Harry Tolliver addressed the Council to suggest that a joint committee of representatives of the Festival Committee and representatives of the City Council and Recreation Commission be formed to study the possibilities of greater use of the Festival grounds. He felt this joint committee could make investigations and come up with specific recommendations for further use of the grounds by the City and community. He stated that he felt such a committee would be of mutual benefit. Three members had already been appointed by the Festival Committee. On the motion of Councilman Rinn, the Mayor was authorized to appoint a committee from the City Council and Recreation Commission at her discretion.

51ST
ADDITION

This being the time and place set for the hearing of protests to the proposed annexation of the "51st Addition, Lands North of West Lockeford Street and West of Ham Lane", Mayor Richey called for persons interested in the proceedings to address the Council. City Clerk Graves read the protest of Wm. Rawe of 1401 West Lockeford Street, filed with the City Clerk on August 18, 1953. Mr. Rawe, the owner of approximately one acre out of the total of 15.75 acres, protested that the taxes to be added upon annexation were not warranted for the present use of his property. The City Clerk reported that the assessed value of the Rawe property was \$3,045 and the assessed valuation for the total was \$13,395. Councilman Rinn stated that Mr. Rawe would benefit as a result of annexation by the reduction in utility and insurance rates, and such reduction would probably be in excess of the amount paid in added taxes. He further pointed out that Mr. Rawe was interested in the development of streets affecting his property, and in so far as his property was in the City his position would be strengthened. Councilman Rinn then moved, Preszler second, the introduction of Ordinance No. 496, approving the annexation of the 51st Addition.

ORD. NO.496
INTRODUCED

REPORTS OF THE CITY MANAGER

RES. #1769
ADOPTED
FIXING
TAX RATE

Following the report of the City Manager that the 1953-54 Budget could be balanced with an ad valorem tax rate of \$.19 for the Library and \$.81 for the General Fund, or a total of \$1.00, Councilman Robinson moved, Rinn second, the adoption of Resolution No. 1768, setting the tax rate at \$1.00. The motion carried unanimously.

SPECS.
ELM ST.
STORM SEWERS

Specifications for the installation of storm sewers over the westerly extension of Elm Street and the southerly extension of Mills Avenue, and for the pipe for said installation, were approved on the motion of Councilman Preszler, Robinson second.

LOCKEFORD
STREET
IMPROVEMENT

Mr. Weller presented a memorandum from the City Engineer stating that the subdividers of property abutting West Lockeford Street between Cross Street and Loma Drive had made the necessary payments to the City for the improvement of Lockeford Street, but the improvement would include portions of the street to which the abutting property did not belong to the City. The County had been approached to share in the improvement, but the County officials felt that the street, while it did not meet the standards of the City of Lodi, was in satisfactory condition as a County road. On the motion of Councilman Rinn, Robinson second, the Council voted to approve the construction of Lockeford Street to Loma Drive, subject to the provision that the abutting property not sharing in the cost of the present construction would be lienied for its proportionate share, and such amounts to be paid upon annexation to the City.

S. HUTCHINS
STREET
IMPROVEMENT

Mr. Weller reported that the report from the title company revealed that the County had never secured a deed or easement over the east 25 feet of the Goodman property on South Hutchins Street for the County road. He further reported that the Goodman's had agreed to deed the 25 feet to the City of Lodi on condition that the Goodman's or their successors would not be assessed for construction of South Hutchins Street. Mr. Weller explained that the \$5,000 contribution by the County would be enough to cover the cost of improving that portion of the street lying outside the City limits. Councilman Rinn, stating that he felt the street would benefit the property owners, moved that the City Engineer be authorized to proceed with the project. The motion carried. On the motion of Councilman Robinson, Rinn second, the Council then voted to adopt Resolution No. 1763, awarding the contract for the construction of South Hutchins Street to the low bidder, Claude C. Wood Company, for the bid price of \$26,242.50.

RES. #1763
ADOPTED
AWARD
CONSTRUCTION
CONTRACT

CLAIMS

Claims in the amount of \$33,106.21 were approved on the motion of Councilman Preszler, Rinn second.

CITY PLANNING COMMISSION

USE PERMIT
DENIED MRS.
RUBY IRWIN

Mr. Weller presented a letter from Mr. J. E. Devine appealing the decision of the City Planning Commission in granting a use permit to J. D. Irwin (amended by minutes of Sept. 2, 1953, to read Mrs. Ruby Irwin) for maintaining a home for mentally retarded crib patients at 415 West Elm Street.


Mr. Duff Chapman addressed the Council to state that he represented a number of residents in the immediate neighborhood and they wished to protest the granting of the use permit on the grounds that there could be no necessity for such a home in a residential area, that property values would be decreased as a result of such use, and that the presence of the mentally retarded children would destroy the peace of mind of the neighbors. Mr. Irwin replied through the Council that the people did not understand the type of infants to be cared for in his home. He stated that infants of this type were not noisy, but typically were very quiet. In referring to Ordinance No. 469, Section 8.1-9, he stated that his home should not come under the provision which prohibits buildings used for the treatment of mental disorders because the infants placed in his home will receive no treatment. In summing up the discussion Councilman Rinn stated that a line must be drawn in awarding use permits of this nature in a residential neighborhood. He felt that the proposed home was in the nature of a commercial venture and as such was unsuited in an established residential area. He added that the Council has an obligation to protect residences. He then explained to Mr. Irwin that there would be no interference with his plans if the home were located in the country. He added that it boils down to the fact that there are alternatives which would be better for Mr. Irwin. He then moved, Preszler second, that the action of the City Planning Commission be revoked and that the permit not be granted. The motion was passed by unanimous vote.

COUNTY
BUDGET
HEARING

Mr. Weller reminded the members of the City Council of the budget hearing to be held by the County Board of Supervisors August 20. Mr. Weller reported that the Chamber of Commerce planned to send a representative to support the Council's opposition to the transfer of the Motor Vehicle In Lieu Funds from the General Fund to the County Road Fund. The City of Stockton had also indicated that it would support our position by letter to the Board of Supervisors. The Council authorized the City Manager to appear before the Board to represent the City of Lodi.

The meeting was adjourned at 10:10 p.m.

ATTEST:


HENRY A. GLAVES, JR.
City Clerk